



**CITY COUNCIL MINUTES
CITY OF ODESSA, TEXAS**

APRIL 22, 2014

On April 22, 2014, a regular meeting of the Odessa City Council was held at 6:00 p.m., in the Council Chambers, 5th Floor, City Hall, 411 West 8th Street, Odessa, Texas.

Members present: Council members: Roger T. McNeil, District One; Barbara Graff, District Three; and Dean Combs, District Four and Sandra Carrasco, District Five.

Members absent: Mayor David R. Turner and Council member Dewey Bryant, District Two.

Others present: Richard Morton, City Manager, Larry Long, City Attorney; Norma Aguilar-Grimaldo, City Secretary; Michael Marrero, Deputy City Manager; Konrad Hildebrandt, Assistant City Manager; other members of City staff; and members of the news media.

A quorum being present, Mayor Pro Tem Combs called the meeting to order and the following proceedings were held:

The invocation was given by Pastor Luis R. Lopez, VFW, and followed by the Pledge of Allegiance to the United States and Texas flags.

Council member Carrasco presented proclamations for National Tourism Week, National Community Development Week, and Buddy Poppy Month on behalf of Mayor Turner. Mayor Pro Tem Graff recognized German exchange students and presented each with an honorary citizenship certificate.

CONSENT AGENDA ITEMS

- A. City Council minutes, April 8, 2014;
- B. **Ordinance No. 2014-20 – Request of Cadence Development, LP (Bob Ruggio), owner, for original zoning of Special Dwelling District (SPD) on an approximately 46.60 ac. tract, original zoning of Retail (R) on an approximately 2.00 ac. tract, a request to rezone an approximately 6.90 ac. tract from Office (O) to Special Dwelling District (SPD), and a request to rezone an approximately 1.40 ac. tract from Neighborhood Service (NS) to Special Dwelling District (SPD) in Sections 10 and 11, Block 41, T-2-S, T&P RR. Co. Survey, Odessa, Midland County, Texas (northeast of the intersection of Mission Blvd. and Dorado Dr.)**
- C. **Resolution No. 2014R-24 - Authorize the City to apply for a Federal Government Grant to provide partial payment for bulletproof vests;**
- D. Gulf Coast Waste Disposal Authority Agreement for a study of industrial water in the Permian Basin;
- E. Purchase motorgrader from Bee Equipment Sales in the amount of \$166,024;
- F. **Ordinance No 2014-21 Abandonment of portion of street right-of-way and alley right-of-way in CIELO VISTA ADDITION,**

Odessa, Ector County, Texas;

- G. Bid award to Hydroplus LTD for algicide in the amount of \$14.79 per gallon for the Water Treatment Plant;
- H. Amend the economic development performance and program grant agreement for the Parks Legado Town Center;
- I. Bid award to Marks Water Well Service for the completion of ten water wells drilled to provide irrigation water at ten park sites in the amount of \$100,800.05;
- J. Reject the bids for automotive vehicles;
- K. Review monthly financial summary report for March 2014;
- L. **Resolution No. 2014R-25 – Purchase four lots in Block 42, Original town for land consolidation.**

Motion was made by Council member Graff and seconded by Council member McNeil to pull items Items D & G to consider each one individually and Item H for executive session. The motion was approved by unanimous vote.

Motion was made by Council member Graff and seconded by Council member McNeil to approve the consent agenda items A – C, E, F, and I – L. The motion was approved by unanimous vote.

Resolution No. 2014R-26 - Gulf Coast Waste Disposal Authority Agreement for a study of industrial water in the Permian Basin. Mr. Morton stated that the Gulf Coast Waste Disposal was an industrial treatment plant and was a great resource for cleaning the reuse water. The Odessa Development Corporation Board recommended \$39,000 of ODC funds for the Federal grant. The grant would allow for a water study on reuse water to be used by other facilities.

Motion was made by Council member Graff and seconded by Council member Carrasco to approve the resolution. The motion was approved by unanimous vote.

Bid award for algicide for the Water Treatment Plant. Thomas Kerr, Director of Utilities, stated that the bid award was for the annual purchase of algicide. Algicide was one of many chemicals to treat the water. The algicide was used to prevent algae from growth in the warm months. The chemical would be used from May through September. The bid award was a decrease from last year from \$16 a gallon to \$14.79 a gallon.

Motion was made by Council member McNeil and seconded by Council member Graff to approve the bid award as recommended. The motion was approved by unanimous vote.

OTHER COUNCIL ACTION

PUBLIC HEARING

Open a public hearing to consider approval of the request of The Morrison Group, owner, for original zoning of Planned Development-Housing (PD-H) on approximately 2.2 ac. tract of land and original zoning of Planned Development-Housing-Surface Drainage (PD-H-SD) on approximately 1 ac. [two (2) tracts] in Section 16, Block 41, T-2-S, T&P Ry. Co. Survey, Ector Co., Texas (vicinity of Bastrop Dr. and Old Course Rd.) Randy Brinlee, Director of Planning, reviewed the location of the zoning request. The two sites were vacant. The area would be developed for a detention basin and seven residential

lots. The Planning and Zoning Commission recommended for approval. The drainage basin would accommodate any flooding. There was a detention channel to the west of the basin. No one came forward and the public hearing was closed.

Motion was made by Council member Carrasco seconded by Council member McNeil to approve the ordinance on first approval. The motion was approved by unanimous vote.

Open a public hearing to consider the limousine franchise renewal of Aaron Alvarado d/b/a First Choice Limousine. Mr. Long stated that First Choice Limousine was operating since 2004. It was requesting to extend its franchise for an additional five years. It operates three vehicles. The owner has signed and met all conditions. No one came forward and the public hearing was closed.

Motion was made by Council member Graff seconded by Council member McNeil to approve the ordinance on first approval. The motion was approved by unanimous vote.

ORDINANCE

Authorize the abandonment of portions of Nelson Avenue, Power Street and alley right -of-way. Yervand Hmayakyan, City Engineer, stated that the abandonment of property would allow for extension of the Ector County Cemetery. The property would be conveyed to Ector County for ten dollars.

Motion was made by Council member Carrasco seconded by Council member Graff to approve the ordinance on first approval. The motion was approved by unanimous vote.

RESOLUTION

Resolution No. 2014R-27 - Accept a donation of trees from TXU Energy sponsored "Committed to Community Growth Program". Steve Patton, Director of Parks and Recreation, stated that TXU Energy donated a variety of 230 trees to the forestry system. The trees were worth \$7,500. After four to six years, the trees would be transferred to the parks system. Lacy Sperry, TXU Representative, stated TXU has participated in donating thousands of trees across Texas.

Motion was made by Council member Graff and seconded by Council member McNeil to approve the resolution. The motion was approved by unanimous vote.

Mayor Pro Tem Combs expressed gratitude on behalf of the City for TXU's donation of trees.

Resolution No. 2014R-28 – Proposal agreement for the prorated tax for Family Dollar for fiscal year 2013. Mr. Long stated that this was the tenth and last year for Family Dollar's tax abatement. In the past years, it has exceeded its job and payroll requirements. This year, due to labor shortage, Family Dollar only met 330 jobs out of the required 350 jobs. The Tax Incentive Committee recommended granting a credit of 330 jobs at the prorated cost of \$23,552 to be paid by Family Dollar.

Motion was made by Council member Carrasco and seconded by Council member McNeil to approve the resolution. The motion was approved by unanimous vote.

Resolution No. 2014R-29 – Economic development termination and release agreement

with Precision Lining Systems. Mr. Long stated that a settlement was reached to terminate the Precision Lining Systems economic development contract. The Odessa Development Board recommended that Precision Lining refund \$103,500 since it did not finish the third year of the required contract.

Motion was made by Council member McNeil and seconded by Council member Graff to approve the resolution. The motion was approved by unanimous vote.

Authorization to proceed with voluntary annexation of Industrial Districts 2, 3, and 4; voluntary annexation of Halliburton, Elliot Partners, AZ Industrial Group, Odessa Concrete Supply, Southwestern Bell, BJ Titan Services, and Compressor Components Industrial Districts; and if we cannot proceed with voluntary annexation, consider authorization to proceed with involuntary annexation of these Industrial Districts. Amend the Economic Development Performance and program grant agreement for the Parks Legado Town Center. The Council went into executive session under sections 551.071 and 551.087.

Upon returning from executive session, the following action took place:

Resolution No. 2014R-30 - Amend the Economic Development Performance and program grant agreement for the Parks Legado Town Center. Motion was made by Council member Graff and seconded by Council member Carrasco to approve the resolution. The motion was approved by a 3-1 vote with Mayor Pro Tem Combs casting the nay vote.

Resolution No. 2014R-31 - Authorization to proceed with voluntary annexation of Industrial Districts 2, 3, and 4; voluntary annexation of Halliburton, Elliot Partners, AZ Industrial Group, Odessa Concrete Supply, Southwestern Bell, BJ Titan Services, and Compressor Components Industrial Districts; and if we cannot proceed with voluntary annexation, consider authorization to proceed with involuntary annexation of these Industrial Districts. Motion was made by Council member Carrasco and seconded by Council member McNeil to approve the resolution. The motion was approved by unanimous vote.

MISCELLANEOUS

Appointment of Board: Community Development Advisory Committee, Citizens Golf Advisory Committee, Traffic Advisory Committee, and Historic Preservation Commission. Motion was made by Council member Carrasco and seconded by Council member McNeil to reappoint J Tilapaugh and Grace King to the Historic Preservation Commission. The motion was approved by unanimous vote.

Citizen's comments on non-agenda items. No one came forward.

There was no other business, the meeting adjourned at 7:52 p.m.

ATTEST:

Norma Aguilar-Grimaldo, TRMC, CMC
City Secretary

APPROVED:

Dean Combs
Mayor Pro Tem